

CAUSE NO. 18 DCR 0152

STATE OF TEXAS	§	IN THE DISTRICT COURT
	§	
vs.	§	344th JUDICIAL DISTRICT
	§	
ZENA COLLINS STEPHENS	§	CHAMBERS COUNTY, TEXAS

STATE'S MOTION FOR PROTECTIVE ORDER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the State of Texas, by and through the undersigned Assistant Attorney General, and moves the Court to issue a protective order to documents released pursuant to Article 39.14, Texas Code of Criminal Procedure.


The documents relevant to this request are unredacted versions of sixteen pages of discovery in OAG Discovery Numbers 000919-000934 (redacted), in three separate FD-302 documents. The State is neither waiving its previous assertion of law enforcement privilege nor conceding the applicability of the issue as previously raised by the State. However, after consultation with Federal authorities involved in the ongoing federal investigation, it has been determined that the investigation is far enough along such that limited unredacted disclosure is not likely to seriously hamper the function of government or contravene the public interest. The State does have concerns about the unfettered disclosure of the unredacted information due to the target(s) involved in the investigation. Even in the event the target(s) are not indicted, the mere acknowledgment of an investigation involving that/those individual(s) could cause irreparable harm to them and/or their reputation. In the event any target(s) is/are elected officials or candidates, the harm could prove irreversible.

Therefore, the State requests this Court to order the unredacted versions of OAG Discovery Numbers 000919-000934 be disclosed only to the attorney(s) representing Defendant. In addition to the attorney(s) representing Defendant, these documents may only be viewed by Defendant and immediate members of the defense team unless the Court orders, in writing, further disclosure upon a showing of good cause after notice and hearing and after considering the security and privacy interests of persons not party to the case at bar. The State further requests this Court order the documents not be duplicated in any manner whatsoever, including

but not limited to: copy, scan, email, fax, photograph (.gif, .tif, .mpg, .jpg, etc.), video. The State also requests that transmission or exchange of documents subject to the requested order between the multiple defense counsel shall be made by hand-to-hand rather than U.S. Mail, other commercial carrier, courier, electronic, or any other manner. Finally, immediately upon the conclusion of trial in this cause, the State requests that the sole copy of the documents at issue be returned to the Court to be placed under seal.

WHEREFORE, PREMISES CONSIDERED, the State of Texas prays that the Court grant the requested Protective Order to the unredacted version of the documents disclosed in OAG Discovery Numbers 000919-000934 as requested.

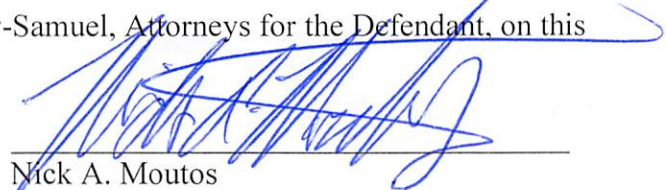
Respectfully submitted,



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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing State's Request for Determination that Redactions to Materials Produced by the State Are Justified was provided to Russell Wilson II, Chad W. Dunn, and Sean Villery-Samuel, Attorneys for the Defendant, on this the 14th day of December, 2018.



Nick A. Moutos
Assistant Attorney General